

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA

v.

TREMAINE WARD

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: CASE NO. 3:04-cr-00146-003(RNC)

**ORDER DISMISSING SUMMONS**

At the request of the Probation Office, Mr. Ward has been summoned to appear to show why his supervised release term should not be revoked due to his unlawful possession of 8.5 grams of marijuana in New York State on October 20, 2018. For the reasons set forth below, the summons is hereby dismissed.

Mr. Ward has been on supervision since November 19, 2013, following his completion of a sentence of 120 months' imprisonment for conspiring to possess with intent to distribute and to distribute cocaine base. Were it not for the issuance of the summons, his five-year term of supervised release would have expired on November 18, 2018. The issue is whether Mr. Ward's unlawful possession of less than ten grams of marijuana justifies continuing him on supervision beyond the five-year term imposed at the time of his original sentencing.

I conclude that Mr. Ward's unlawful possession of marijuana does not justify continuing him on supervision beyond the expiration of the original five-year term, considering his

overall conduct while on supervision. Apart from the summons at issue here, Mr. Ward has not been summoned for a compliance review hearing or a violation hearing at any point during his five-year term. The Probation Office reports that except for this incident, he has been doing well. It therefore appears that an additional term of supervision is unnecessary to serve the rehabilitative goal of supervised release and could well prove to be counterproductive. *See United States v. Trotter*, 321 F. Supp. 3d 337, 339 (E.D.N.Y. 2018).

Accordingly, the summons is hereby dismissed. Mr. Ward's term of supervised release is deemed to have expired on November 18, 2018.

So ordered this 27<sup>th</sup> day of November 2018.

\_\_\_\_\_/s/ RNC\_\_\_\_\_

Robert N. Chatigny, U.S.D.J.